



CITY COUNCIL MEETING MINUTES

Pelham City Hall
Council Chambers
March 4, 2024 – 7:00 p.m.

Proper notice of the regularly scheduled meeting of the Pelham City Council was given in advance of such a public meeting and the notice remained posted throughout the scheduled meeting.

Date: March 4, 2024
Time: 7:00 p.m.
Place: Pelham City Hall – Council Chambers
Present: Council President Maurice Mercer
Councilmember David Coram
Councilmember Chad Leverett
Councilmember Rick Wash
Councilmember Place No. 5: Vacant
Mayor Gary Waters

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Council President Mercer called the meeting to order at 7:00 p.m. Councilmember Coram led the invocation. The Pledge of Allegiance was led by Councilmember Leverett.

RECORD OF ATTENDANCE

The city clerk/treasurer recorded the attendance of the elected officials and announced a quorum was present. City Manager Gretchen DiFante and City Attorney Josh Arnold were present.

APPOINTMENT – Pelham City Council Place No. 5

1. **Resolution 2024-03-04-01** for consideration to appoint Michael Harris, Jr. to the Pelham City Council Place No. 5 effective March 4, 2024.

Councilmember Wash moved to adopt Resolution 2024-03-04-01 and Councilmember Coram seconded the motion.

Council President Mercer asked the city clerk/treasurer for a roll call vote. The vote to adopt Resolution 2024-03-04-01 was recorded as follows:

Maurice Mercer, Council President	<u>Yes</u>
David Coram, Council Member	<u>Yes</u>
Chad Leverett, Council Member	<u>Yes</u>
Rick Wash, Council Member	<u>Yes</u>
Council Member Place No. 5	<u>Vacant</u>

There being no further discussion, the motion to adopt Resolution 2024-03-04-01 passed unanimously by roll call vote of those members present and the council president declared the same passed and adopted.

OATH OF OFFICE – Pelham City Council Place No. 5

1. Oath of Office – Michael Harris, Jr., Pelham City Council Place No. 5

City Clerk/Treasurer Tom Seale administered the oath of office to Michael Harris, Jr. Councilmember Harris addressed those in attendance and expressed his appreciation for having the opportunity to serve the citizens of Pelham.

CONSENT AGENDA

A consent agenda is presented by the presiding officer at the beginning of a council meeting. Items presented on the consent agenda are considered routine and/or non-controversial, are organized apart from the rest of the agenda, and are adopted by general consent and vote by the city council without debate. Items may be removed from the consent agenda on the request of any one member. Removed items may be considered either immediately after the consent agenda is approved or placed later on the agenda at the discretion of the presiding officer and City Council.

- 1. Approval of the March 4, 2024 City Council Agenda
- 2. Approval of the February 19, 2024 Regular City Council Meeting Minutes
- 3. **Resolution 2024-03-04-02** for consideration to enter into a service agreement with C-Spire Business to move the city's multi-factor authentication to a Microsoft based platform. This expense was budgeted in FY2024.
- 4. **Resolution 2024-03-04-03** for consideration to authorize an increase in the base pay compensation for the Pelham City Manager per the Employment Agreement dated November 16, 2020 retroactive to November 16, 2023. This expense was budgeted in FY2024.
- 5. **Resolution 2024-03-04-04** for consideration to approve the lowest and most responsible bid by Southeastern Sealcoating, Inc. for the Pelham City Park Parking Lot Paving Project. This expense was budgeted in FY2024.
- 6. **Resolution 2024-03-04-05** for authorization to amend the FY2024 Water Department budget and purchase a small Vermeer Vacuum Trailer through Sourcewell, a purchasing cooperative.

Council President Mercer stated the complete text of the agenda, minutes, ordinance(s), and resolutions are available at Pelham City Hall and online at www.pelhamalabama.gov.

Councilmember Coram made a motion to adopt the Consent Agenda as presented by Council President Mercer. Councilmember Leverett seconded the motion.

Council President Mercer asked the city clerk/treasurer for a roll call vote. The vote to adopt the Consent Agenda was recorded as follows:

Maurice Mercer, Council President	<u>Yes</u>
David Coram, Council Member	<u>Yes</u>
Chad Leverett, Council Member	<u>Yes</u>
Rick Wash, Council Member	<u>Yes</u>
Michael Harris, Jr., Council Member	<u>Yes</u>

There being no further discussion, the motion to adopt the Consent Agenda passed unanimously by roll call vote of those members present and the council president declared the same passed and adopted.

PUBLIC HEARING(S)

Councilmember Coram moved to recess the city council meeting to hold a public hearing for which proper notice had been given. The motion was seconded by Councilmember Wash and approved unanimously by voice vote of those members present. The council meeting recessed at 7:06 p.m.

Council President Mercer explained the purpose of the public hearing is to consider amending the zone district boundaries of the City of Pelham changing the present B-2 (General Business) zoning to R-T (Townhouse Residential District) zoning for property located along Huntley Parkway containing approximately 5.6 acres (+/-) of vacant property.

Applicant: Grants Mill, LLC, 2106 Devereux Circle, Birmingham, AL 35243.

Owner: SAC LLC c/o Eugene K. Cole, 1100 East Park Drive, Suite 400, Birmingham, AL 35235

Council President Mercer announced the public hearing was now in session regarding amending the Zoning Ordinance of the City of Pelham as noted in proposed Ordinance No. 135-260. He further stated the city council would now hear comments both for and against the consideration to amend the Zoning Ordinance of the City of Pelham.

City Manager Gretchen DiFante gave an overview of proposed Ordinance No. 135-260. She said the rezoning is consistent with the surrounding property and was approved by the Pelham Planning Commission. She stated the request is a rezoning from B-2 (General Business) to R-T (Townhouse Residential District) for a 42-lot townhouse community.

Speaking in favor of adopting Ordinance No. 135-260

- Price Hightower, President of Tower Homes, 2106 Devereux Circle, Birmingham, AL 35243, spoke in favor of the rezoning request. Mr. Hightower stated having received a favorable report from the Pelham Planning Commission for the rezoning.

Speaking against adopting Ordinance No. 135-260:

- No member of the public spoke against Ordinance No. 135-260.

Council President Mercer noted the public hearing to consider Ordinance No. 135-260 has now concluded.

Council President Mercer called the March 4, 2024 City Council Meeting back to order at 7:10 p.m.

MAYOR'S REPORT/COMMENTS

- Mayor Waters reminded everyone tomorrow is election day.

PROCLAMATION(S) AND RESOLUTION(S) BY THE MAYOR AND OTHERS – None

REPORT OF THE CITY MANAGER

City Manager Gretchen DiFante made the following comments.

- Stated being proud of our Commercial Development Authority (CDA) and Director of Economic Development Michael Simon. She noted Senator April Weaver has introduced SB168 in the Alabama State Senate. The bill, if approved, will revise the Code of Alabama regarding the type of properties which a CDA can purchase and incentivize. City Manager DiFante reviewed the revisions to the current law.
- The 5th annual Women Leading Government was held last week at the Pelham Civic Complex & Ice Arena. The conference hosted 247 attendees from all over Alabama and was a big success.
- 500 athletes competed at the Pelham Racquet Club tournament this past weekend. Fantastic, beautiful, quality, and excellent customer service were some of the comments received from those attending the event.
- The Magic City Soccer Tournament was attended by 550 people at the Pelham Civic Complex & Ice Arena last weekend. She encouraged everyone to attend the next scheduled tournament.

REPORT OF THE CITY ATTORNEY – None

REQUEST(S) TO ADDRESS THE COUNCIL – None

OLD BUSINESS / RESOLUTIONS / ORDINANCES / ORDERS and OTHER BUSINESS – None

NEW BUSINESS / RESOLUTIONS / ORDINANCES / ORDERS and OTHER BUSINESS

1. **Resolution 2024-03-04-06** for consideration of ABC license 020 – Restaurant Retail Liquor for applicant Cottage House of Pelham LLC operating under the trade name Cottage House of Pelham located at 3187 Lee Street, Pelham, Alabama 35124.

Councilmember Coram moved to approve the ABC license request and adopt Resolution 2024-03-04-06 and Councilmember Wash seconded the motion.

There were no comments or questions from the city council.

There being no further discussion, the motion to approve the ABC license request and adopt Resolution 2024-03-04-06 passed unanimously by voice vote of those members present and the council president declared the same passed and adopted.

- 2. **Resolution 2024-03-04-07** for consideration of ABC license 150 – Special Retail License – 30 Days or Less for applicant Legends Music, LLC located at 1000 Amphitheater Road, Pelham, Alabama 35124 operating under the trade name Oak Mountain Spring Fair 2024 Legends Music LLC.

Councilmember Wash moved to approve the ABC license request and adopt Resolution 2024-03-04-07 and Councilmember Coram seconded the motion.

There were no comments or questions from the city council.

There being no further discussion, the motion to approve the ABC license request and adopt Resolution 2024-03-04-07 passed unanimously by voice vote of those members present and the council president declared the same passed and adopted.

- 3. **Resolution 2024-03-04-08** for consideration of ABC license 010 – Lounge Retail Liquor – Class I for applicant Pitstop Pub LLC operating under the trade name Pitstop Pub located at 983 Yeager Parkway Suite A, Pelham, Alabama 35124.

Councilmember Coram moved to deny the ABC license request and adopt Resolution 2024-03-04-06 and Councilmember Leverett seconded the motion.

There were no comments or questions from the city council.

There being no further discussion, the motion to deny the ABC license request and adopt Resolution 2024-03-04-06 passed unanimously by voice vote of those members present and the council president declared the same passed and adopted.

- 4. **Ordinance No. 135-260** an amendment to the zone district boundaries of the City of Pelham changing the present zoning B-2 (General Business District) to R-T (Townhouse Residential District) for property located along Huntley Parkway containing approximately 5.6 acres (+/-) of vacant property was introduced and read in its entirety as a First Reading by Council President Mercer.

Applicant: Grants Mill, LLC, (Tower Homes) 2106 Devereux Circle, Birmingham, AL 35243.

Owner: SAC LLC c/o Eugene K. Cole, 1100 East Park Drive, Suite 400, Birmingham, AL 35235

He stated a complete text of Ordinance No. 135-260 is available at Pelham City Hall and online at www.pelhamalabama.gov.

Council President Mercer announced this Ordinance will likely be considered by the city council at a future city council meeting.

- 5. **Resolution 2024-03-04-09** for consideration to adopt the city’s Civility and Cooperative Leadership Pledge.

Councilmember Coram moved to adopt Resolution 2024-03-04-09 and Councilmember Wash seconded the motion.

Council President Mercer stated he was pleased the city council was adopting the Civility and Cooperative Leadership Pledge.

Council President Mercer asked the city clerk/treasurer for a roll call vote. The vote to adopt Resolution 2024-03-04-09 was recorded as follows:

Maurice Mercer, Council President	<u>Yes</u>
David Coram, Council Member	<u>Yes</u>
Chad Leverett, Council Member	<u>Yes</u>
Rick Wash, Council Member	<u>Yes</u>
Michael Harris, Jr., Council Member	<u>Yes</u>

There being no further discussion, the motion to approve Resolution 2024-03-04-09 passed unanimously by roll call vote of those members present and the council president declared the same passed and adopted.

PUBLIC COMMENTS

Public comments are limited to three (3) minutes per speaker. Individuals wishing to address the City Council may, after being recognized, approach the podium, and state their name and physical address prior to making their comments in a respectful manner.

There were no comments or questions from the public.

CITY COUNCIL COMMENTS

Councilmember Coram welcomed Councilmember Harris. He thanked those in the audience for attending tonight’s council meeting.

Councilmember Leverett spoke to the excitement of having Michael Harris, Jr. join the city council. He said he is honored to have the opportunity to serve with him.

Councilmember Wash spoke highly of Councilmember Harris. He concurred with the comments of Councilmember Leverett.

Councilmember Harris thanked his parents, family, and friends. He said it is great to have a circle of friends. He stated he is looking forward to the challenges and responsibility in serving the city, staff, and employees. Councilmember Harris thanked the city council for giving him the opportunity to serve the community.

Council President Mercer welcomed Councilmember Harris.

PUBLIC ANNOUNCEMENTS

1. A special work session will be held on Monday, March 11, 2024 at 5:00 p.m. in the Council Conference Room at City Hall to discuss economic development in the City of Pelham.
2. Secure Shredding & Recycling and the City of Pelham will host a spring shred and e-recycling event on Saturday, March 30, 2024 from 9:00 a.m. until 12:00 Noon. It will take place in front of City Hall, 3162 Pelham Parkway. Additional, details about shredding and e-recycling are available on the city’s website, www.pelhamalabama.gov.
3. Shelby County will host a Free Landfill Day at the Shelby County Landfill located at 401 Landfill Road on Highway 70 between Columbiana and Calera on Saturday, March 30, 2024 from 7:30 a.m. until 3:30 p.m. All participants must be unloaded and exited from the landfill by 3:30 p.m.
4. Pelham Strong’s Walk for Christ is scheduled of April 6, 2024. The 5k Run will begin at 8:00 a.m., the 1 Mile Run at 9:00 a.m., and followed by a homerun derby. The homerun derby will pit the Pelham Police Department against the Pelham Fire Department.
5. The Taste of Pelham will be held on April 11, 2024 at 6:00 p.m. at the Pelham Civic Complex & Ice Arena.

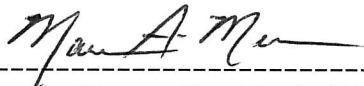
ADJOURNMENT

With no other business before the city council, Councilmember Coram moved to adjourn the council meeting and Councilmember Harris seconded the motion. By voice vote the motion passed unanimously by those members present and the meeting was adjourned at 7:31 p.m.

Respectfully submitted this 4th day of March 2024.



Tom Seale, MMC, City Clerk/Treasurer



Maurice Mercer, President of the Council

